

**Introduced by Senator Oropeza**

February 26, 2009

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An act to amend Section 23987 of the Business and Professions Code, relating to alcoholic beverages.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 415, as introduced, Oropeza. Alcoholic beverages: licenses: local government review.

Existing law requires the Department of Alcoholic Beverage Control to notify the appropriate sheriff, chief of police, district attorney, city or county planning agency, and legislative body of an application for the issuance or transfer of a liquor license, and prohibits the Department of Alcoholic Beverage Control from issuing or transferring a license until at least 30 days after these notices are provided. Existing law authorizes the department to extend that 30-day period for a period not to exceed an additional 20 days if a proper written request is made by any local law enforcement agency.

This bill would authorize the department to extend the 30-day period for a period not to exceed an additional 30 days if a proper written request is made by any entity or official receiving the required notification.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 23987 of the Business and Professions
- 2 Code is amended to read:

1     23987. (a) Upon the receipt by the department of an original  
2 application for any license or an application for transfer of any  
3 license, written notice thereof, consisting of a copy of the  
4 application, shall immediately be mailed by the department to the  
5 sheriff, chief of police, and district attorney of the locality in which  
6 the premises are situated, to the city or county planning director,  
7 whoever has jurisdiction, the board of supervisors of the county  
8 in which the premises are situated, if within an unincorporated  
9 area, and to the city council or other governing body of the city in  
10 which the premises are situated, if within an incorporated area.

11     ~~Except~~

12     (b) *Except* as specified in paragraph (2) of subdivision (e) of  
13 Section 23800, no license shall be issued or transferred by the  
14 department until at least 30 days after the mailing by the  
15 department of the notices required by this section. The department  
16 may extend the 30-day period specified in the preceding sentence  
17 for a period not to exceed an additional ~~20~~ 30 days, ~~upon the if~~  
18 *any entity or official notified pursuant to subdivision (a) makes a*  
19 *written request of any local law enforcement agency* that states  
20 proper grounds for extension. Proper grounds for extension are  
21 limited to the requesting agency or official being in the process of  
22 preparing either a protest or proposed conditions with respect to  
23 the issuance or transfer of a license.